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June 21, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John M. Stewart

Bradley J. Steeves

Karl Vernes

Group Art Unit:

1614

Examiner:

N.Y.A.

Confirmation No:

7296

Application No.:

10/716,314

Filing Date:

November 18, 2003

For:

Paralytic Peptide for Use in Neuromuscular

Therapy

(Attorney Docket No: P26,473-A USA)

I hereby certify that this correspondence, along with any other papers indicated as being enclosed, is being deposited with the United States Postal Services, as first class mail, postage prepaid, in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on June 21, 20056.

arlet M. Karrmann

Mail Stop: Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>PURSUANT TO 37 C.F.R. §1.97(b)(3)</u>

Sir:

It is requested respectfully that the information identified on the enclosed Form PTO-1449 (Modified) be made of record and considered with respect to the above-referenced patent application. A copy of each item of information identified on the Form and required by 37 C.F.R. §1.98(a)(2) is enclosed. The Examiner is requested to indicate that each item on the

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Page: 2

enclosed Form PTO-1449 (Modified) has been considered by initialing and dating the enclosed

Form and returning a copy of same to the undersigned.

Identification of information on the attached Form, or in this statement, is not an

admission that such information is prior art to the invention claimed in the present application

or that such information is in an analogous art area.

This Information Disclosure Statement is filed before a first Office Action on the merits.

However, if the first Office Action happens to cross in the mail with the submission of this

Information Disclosure Statement, the Patent Office is hereby authorized to charge the amount

of \$180.00 pursuant to the fee required under 37 C.F.R. §1.17(p) to Deposit Account Number

19-5425.

Respectfully submitted,

Marc S. Segal, Esquire

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FORM PTO-1449 (MODIFIED)

PE INFORMATION DISCLOSURE SEATEMENT BY APPLICANT

APPLICATION NO.	10/716,314
FILING DATE	November 18, 2003
FIRST NAMED INVENTOR	J. Stewart
ART UNIT	1614
CONFIRMATION NO.	7296
EXAMINER NAME	N.Y.A.
ATTORNEY DOCKET NO.	P26,473-A USA

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NO.	PUBLICATION DATE	NAME
	AA	5,424,286	June 13, 1995	Eng

FOREIGN PATENT DOCUMENTS

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OTHER PUBLICATIONS

Cai, Z., et al. "Solution Structure of BmBKTx1, a New BK _{ca} ¹ Channel Blocker from the Chinese Scorpion <i>Buthus martensi Karsch</i> ."; Biochemistry, Vol. 43, No. 13, pp. 3764-3771 (2004).
Christenbury, P. "A Study of the Ecology of Blarina Brevicauda in North Carolina and of the Effect of Shrew Toxin on the Liver and Kidneys of Mice."; A thesis submitted to the Graduate Faculty of Wake Forest College in partial fulfillment of the requirements for the degree of Master of Arts in the Department of Biology; (August 1966).
Dekker, E., et al. "The epithelial calcium channels, TRPV5 and TRPV6: from identification towards regulation.", Cell Calcium 33, pp. 497-507 (2003).
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Ellis, S., et al. "Properties of a Toxin From the Salivary Gland of the XShrew, Blarina Brevicauda"; The Journal of Pharmacology & Experimental Therapeutics; Vol. 114, No. 2, pp. 127-137 (1955).
GenCore version 5.1.7, pages 3-4 (Result 5)
George, S., et al. "Blarina brevicauda"; Mammalian Species, No. 261, pp. 1-9, 3 figs (1986).
Kita, M., et al. "Blarina toxin, a mammalian lethal venom from the short-tailed shrew <i>Blarina vrevicauda</i> : Isolation and characterization." PNAS, Vol. 101, No. 20, pp. 7542-7547 (2004).
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ВА	Mount Allison University "Potent Peptide Paralytic Agent", Version 1 (June 2003).
ВВ	Mount Allison University "Potent Peptide Paralytic Agemt" Version 2 (July 2003).
ВС	Peng, J-B, et al. "CaT1 Expression Correlates with Tumor Grade in Prostate Cancer"; Biochemical and Biophysical Research Communication, Vol 282, pp. 729-734 (2001).
BD	Peng, J-B, et al. "Human Calcium Transport Protein CaT1"; Biochemical and Biophysical Research Communications, Vol. 278, No. 2, pp. 326-332 (2000).
BE	Phol, M., et al. "Molecular Cloning of the Helodermin and Exendin-4 cDNAs in the Lizard"; The Journal of Biol; ogical Chemistry, Vol. 273, No. 16, pp: 9778-9784 (1998).
BF	Pucek, M. "Chemistry and Pharmacology of Insectivore Venoms"; Chapter 3 of Venomous Animals and Their Venoms edited by W. Bucher, Academic Press, new York – London, pp: 43-50 (1968).
BG	Smart, P. "Shrew Saliva Spells Relief? Prof. Jack Stewart makes breakthrough medical discovery"; The Argosy (January 16, 2003).
ВН	"The venom of the shrew may be in the new Botox"; National Post, Science Section (Biochemistry) (December 20, 2002).
ВІ	Tomasi, T. "Function of Venom in the Short-Tailed Shrew Blarina Brevicauda"; Journal of Mammalogy, Vol. 59, No. 4, pp. 852-854 (1978)
ВЈ	Zhuang, L., et al. "Calcium-Selective Ion Channel, CaT1, Is Apically Localized in Gastrointestinal Tract Epithelia and is Aberrantly Expressed in Human Malignancies"; Laboratory Investigation, Vol. 82, No. 12, pp. 1755-1764 (2002)

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